REMARKS

The applicant would like to clarify the portion of claim 1 which currently states: "dividing or multiplying the first therapeutic resonant frequency by a factor of a power of two, to obtain ~~at least one other~~ a second therapeutic resonant frequency to influence said genomic material in ~~at least one other~~ an electromagnetic frequency range capable of being emitted by the frequency-emitting device;". This step describes a mathematical procedure, i.e. dividing or multiplying by a power of two, which will produce a second useful resonant frequency clearly derived from the first original resonant frequency. This claim step is not intended to infer that the second resonant frequency is unrelated to the first resonant frequency.

Furthermore, the applicant points out new wording changes made in currently amended claims 6, 9, and 10, which are intended to more clearly describe the necessary steps and intent of using the method, and to accurately relate to earlier-numbered claims.

The opening of currently amended claim 1 states in part, "treating an animal or human infected with a disease caused by a *pathogen*, wherein said pathogen comprises a genomic material...". While some dictionaries define the term "pathogen" as "any agent that causes disease", others include the clause "especially a micro-organism" or some similar wording. The applicant points out that most people will understand the word "pathogen" to mean a living or active micro-organism. This common understanding of that term may not cover some examples of disease-causing genomic material that are included in the specification.

Pages 19 and 20 of the most recently submitted specification cite for example, four different cancer-related factors: the int-1 mammary oncogene (p. 19, lines 4-11), the enzyme tyrosine kinase (p. 19, lines 12-17), growth factors, and K-ras oncogene (p. 20, lines 7-9). The applicant did find that the int-1 oncogene is considered a proto-oncogene that can be activated by the proviral insertion of mouse mammary tumor virus, which would be considered a pathogen (see DeVita et al, Cancer: Principles and Practice of Oncology, pages 81 and 85). However, the applicant could find no direct pathogenic association with the tyrosine kinase, the growth factors, or the K-ras oncogene. To that end, the applicant has submitted a parallel set of new claims (numbers 30-36), which are intended to cover situations including genomic materials not directly

associated with pathogens. The only language which is different in the parallel set of claims, is in the opening preamble of claim 30, which addresses the aforementioned lack of scope in claim number 1.

CONCLUSION

Applicant states that a full and complete response has been made herein to the Office Action mailed June 30, 2006, and asks that all amended claims submitted in this application be placed in condition for allowance. The applicant respectfully requests early consideration of the present application, entry of the amendments to claims, and withdrawal of all rejections.

Respectfully submitted,

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